

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

MARK R. GRISSOM, AS §
ADMINISTRATOR OF THE ESTATE OF §
ELIZABETH RHEY GRISSOM, §
§ Plaintiff, §
v. § § Civil Action No. EP-06-CV-0286-FM
§
CCOP SENIOR LIVING LLC D/B/A THE §
MONTEVISTA AT CORONADO, §
§ Defendant. §
§

**ORDER GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT BASED
ON PLAINTIFF'S LACK OF CAPACITY TO SUE**

On this _____ day of _____ 2007, the Court considered Defendant's Motion for Summary Judgment Based on Plaintiff's Lack of Capacity to Sue (Docket Entry _____) ("the Motion"). Having considered the Motion, Plaintiff's Response, the summary judgment evidence, and the pleadings on file, this Court finds that the Motion is well-taken and should be granted in all respects. It is therefore ORDERED, ADJUDGED, AND DECREED that summary judgment is hereby GRANTED in favor of Defendant CCOP Senior Living LLC (incorrectly sued as "CCOP Senior Living LLC d/b/a The Montevista at Coronado") and against Plaintiff Mark R. Grissom, as Administrator of the Estate of Elizabeth Rhey Grissom, on all claims. Plaintiff shall take nothing from Defendant, and all costs are assessed against Plaintiff. Defendant shall have _____ days to submit its bill of costs.

FRANK MONTALVO
UNITED STATES DISTRICT JUDGE